



REZONING

September 21, 2006

FILE: RZ 06-09-03

R-4 to S-1

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| Property Information | |
| Tax ID | Tax Map 056 Parcel 002 |
| Location/address | 6143 Ridge Road |
| Parcel Size | ±83 acres |
| Current Zoning | R-4 (Recreational Residential) |
| Existing Land Use | Recreational facilities |
| Future Land Use | The property is owned by the United States Corps of Engineers |
| Request | S-1 (Special District) |
| Commission District | District 3 (Ford) |
| Recommendation | Approve with conditions |

Summary and Recommendation

United States Corps of Engineers, owner, and First Presbyterian Church, applicant, request the rezoning of approximately 83 acres located on Ridge Road at Lake Thurmond from R-4 recreational residential to S-1 special district in order to expand their existing recreational facilities. There was a great deal of confusion initially regarding the exact boundary of the church's lease area. Documentation provided by the applicant indicated that the lease area contained approximately 51 acres. However, the accompanying maps indicated that the lease area was approximately 83 acres. Therefore the item was tabled to allow staff to further research the matter and to reconcile the discrepancy.

Correspondence between staff and the United States Corp of Engineers uncovered that the initial lease area granted to First Presbyterian Church was surveyed in 1959 and included approximately 51 acres. The initial lease area was based largely on elevation, and did not extend to water's edge. The area beyond the initial lease was added in 1979, and extended the lease area to include all of the land delineated in the accompanying exhibits. The property was not resurveyed to determine the exact acreage that was included in the lower elevations. Furthermore, the applicant's lease actually extends past the water's edge, but that area is non-exclusive in use, and is obviously not suited for development.

The actual area of existing and proposed improvements as submitted by the site plan is approximately 11.6 acres. The Church is unable to get a building permit for the proposed improvements under the existing R-4 residential zoning. Currently, the Church property is a non-conforming use and as such, may not be altered or expanded. The church is proposing minor additions to its existing facility, to include a deck and restroom facilities to the pavilion. These additions are small in scope, and will have no effect on surrounding properties or infrastructure. Water and sewer service are unavailable. Thus, the applicant must consult with the Health Department to ensure that adequate septic facilities are installed.



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The applicant does have some additional plans for the property in the future, but those plans are not yet available. The applicant's future plans include hiring a consulting firm to give advice on the appropriate layout and use of the property. Since the S-1 zoning is site plan specific, staff recommends confining the rezoning to that portion of the property that has been identified with a site plan, as prescribed by the Columbia County code of ordinances. The remainder of the property will retain its R-4 zoning. Furthermore, any future construction or development plans within the specific 11.6 acre area will require a revision to the existing S-1 site plan.

Interdepartmental Review

Conditions

Planning: Only the property identified for improvements should be included in the rezoning. The applicant will be required to apply for either additional area or a revision to the proposed S-1 area in order to make any further improvements.

Engineering: Post-developed discharge must be less than pre-developed conditions through the 50-year storm.

1. Portions of this property lie within the 100-year flood plain. All "A" zoned property must be studied by an appropriate methodology to determine a BFE.
2. State waters are present on the property. If a stream buffer variance is required for any aspect of site work, you must have approval from the Georgia EPD.
3. If the property contains wetlands, a Jurisdictional Determination must be submitted to and approved by the United States Army Corps of Engineers.
4. If site improvements disturb more than one acre, the proper National Pollution Discharge Elimination System permit and associated fees must be submitted to the Georgia Environmental Protection Department and Columbia County 14 days prior to land disturbance.
5. Storm water detention will be required unless site improvements result in no net increase in runoff.
6. If access to the property is granted along an existing county road, the owner will be responsible for repairing all damage caused by construction vehicles.
7. A site plan must be submitted to and approved by the County Engineer.
8. All proposed improvements must conform to current county standards.

Storm water: Permanent drainage and utility easements are required over all storm water infrastructure.

Construction and Maintenance: Access is to be approved by the County Engineering Department.

Health Department: Applicant must contact Health Department. There is no sewer available at this time. Soil needs to be evaluated for suitability to put onsite sewage system.

Comments

Water and Sewer: County water and sewer are not available. Plans are being considered to install a water main on Ridge Road.

Stormwater: There are no active projects in the area.

Construction and Maintenance: This project will not affect the priority of planned road projects.



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Sheriff: There have been traffic accidents in the past 12 months. This project will affect safety and traffic conditions in the area. Additional patrols will be needed for crime prevention. There is adequate access for public safety vehicles.

Green space: This property is not located in a targeted area for green space. There are no green space program lands in the area.

Criteria for Evaluation of Rezoning Request

| Criteria Points | Comment |
|---|--|
| Whether the zoning proposal will permit a use that is suitable in view of the zoning and development of adjacent and nearby property. | The request is consistent with the prevailing zoning and land use pattern. |
| Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property. | The request will not adversely affect the nearby neighborhood. |
| Whether the zoning proposal is compatible with the purpose and intent of the GMP. | The zoning proposal is compatible with the purpose and intent of the GMP. |
| Whether there are substantial reasons why the property cannot or should not be used as currently zoned. | The property is currently an established non-conforming use. |
| Whether the proposal could cause excessive or burdensome use of public facilities or services. | The proposal would not cause excessive or burdensome use of public facilities or services. |
| Proposal is supported by new or changing conditions not anticipated by the GMP or reflected in existing zoning on the property or surrounding properties. | Proposal is reflected on surrounding properties. |
| Proposal reflects a reasonable balance between the promotion of Health, Safety, and Welfare against the right to unrestricted use of property. | The request meets this balance test. |